

GOVERNMENT OF TELANGANA
ABSTRACT

BACKWARD CLASSES WELFARE DEPARTMENT - Appeal Petition filed by Sri G.Thirupathi Reddy, S/o Ramana Reddy, R/o Hanumakonda Mandal, Warangal (Urban) District filed U/s 7 of Telangana (SC, ST & BC) Regulation of Issue of Community Certificates Act, 1993 on cancellation of his BC-D Certificate by Collector and District Magistrate, the then Karimnagar District now Warangal (Urban) District - Appeal rejected - Orders - Issued.

BACKWARD CLASSES WELFARE (OP) DEPARTMENT

G.O.Ms.No. 1

Dated: 10-01-2018
Read the following:

1. The Collector and District Magistrate, Karimnagar District, Procs.Rc.No.C4/823/2012, Dt.14.06.2016
2. Appeal Petition filed by Sri G.Thirupathi Reddy, R/o.Hanumakonda Mandal, Warangal (Urban) District, dt.12.08.2016 received on 6.10.2016
3. Govt. Memo. No.2544/OP/A2/2016, dated.22.10.2016
4. From the District Collector, Warangal (Urban), Lr.Rc.No.C3/ 7336/2016, dated.27.01.2017
5. Govt., Memo.No.2544/OP/A2/2016, Dt.12.04.2017, 15.05.2017, 24.05.2017, 12.10.2017 & 20.12.2017
6. Govt., Memo.No.2544/OP/A2/2016, Dt.09.11.2017

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OR D E R:-

In the reference 1st read above, the Collector & District Magistrate, Karimnagar District has issued Proceedings cancelling the "Munnurukapu" (B.C-D) certificate of Sri G.Thirupathi Reddy, S/o Ramana Reddy, R/o. Bheemadevarapally Mandal, Warangal District working as Security Head Guard at Metpally, TSRTC Depot.

2. Aggrieved by the said Proceedings of the Collector & District Magistrate, Karimnagar District, Sri G.Thirupathi Reddy has filed an appeal petition before the Government vide reference 2nd read above.
3. In the reference 3rd read above, Government have requested the Collector & District Magistrate, Karimnagar District to send detailed remarks, if any, along with connected original records to examine and dispose off the appeal petition filed before the Government. In the reference 4th read above, the Collector & District Magistrate, Karimnagar District, has furnished the relevant records and para-wise remarks on the appeal petition filed by Sri G.Thirupathi Reddy and among others requested the Government to dismiss the appeal and pass such other order or orders as deemed fit and proper in the circumstances of the case.
4. The case was taken up for personal hearing by the Government, as such several hearings were held by appropriate authority in the case. The appellant attended the hearing on 18.04.2017 and requested to grant one (1) month time, the complainant was absent. On 17.10.2017 both appellant and complainant were absent. On 06.12.2017 the complainant attended the hearing but the appellant was absent.
5. Government have examined the matter in detail and observed the following:-

- ❖ On perusal of proceeding of Collector and District Magistrate, Karimnagar in Rc.No.C4/823/2012 Dated.14.06.2016, the individual accepted that he is Reddy & OC and not Munnurukappu and has not enjoyed the benefits of reservation.
- ❖ The individual had not file any written explanation on the show cause notice issued on 01.03.2016 by the Collector and District Magistrate, the then Karimnagar District, now Warangal Urban District within the stipulated time.
- ❖ The individual had file appeal petition before the Government on 12.08.2016 and had attended the hearing on 18.04.2017 and requested time for one (1) month.
- ❖ The case was posted for hearing on 17.10.2017 and 06.12.2017, but the petitioner neither furnished any document of proof or written statement nor attended the hearing made by the Government.

- ❖ As per the Section (6) of Telangana (SC, ST & BC) issue of Community, Nativity and Date of Birth Certificates Rule, 1997, the burden of proof lies with the applicant.
- ❖ In this case the petitioner, Sri G.Thirupathi Reddy, failed to produce any documentary proof before the Government when called for during hearing.
- ❖ Government have verified the documentary evidences available in the original File bearing C.No.C4/823/2012 of the Collector & District Magistrate, the then Karimnagar District, now Warangal (Urban) District, i.e., deposition made by Sri G.Thirupathi Reddy before the DLSC, enquiry report of Tahsildar Bheemadevarapally, Seniority list of RTC Head Constable working in Karimnagar Zone issued by the Deputy Chief Personal Manager, Karimnagar vide Lr.No.11/752(2)/2013-V7 SO.KRZ, Dt.07.01.2013.
- ❖ The petitioner failed to produce any evidence proof before the Government to consider his Appeal petition.No.6, Dt.12.08.2016, on cancellation of his BC-D Munnurukapu Caste Certificate issued by MRO, Bheemadevarapally by the Collector & District Magistrate, the then Karimnagar District, now Warangal (Urban) District vide Procs.Rc.No.C4/823/2012, Dt.14.06.2016.

6. Government after careful examination in detail of the entire matter and the material made available with it, concludes that Sri G.Thirupathi Reddy does not belong to BC-D Munnurukapu community. Therefore, the decision taken by the Collector and District Magistrate, the then Karimnagar District, now Warangal (Urban) District is correct and in accordance with Law. Under the circumstances, the orders issued by the Collector and District Magistrate, the then Karimnagar District, now Warangal (Urban) District are hereby confirmed.

7. Government, therefore, in exercise of the powers conferred u/s 7 of Act No.16 of 1993, decide that the appeal petition filed by Sri G.Thirupathi Reddy do not deserve any interference. Hence, Proceedings of the Collector and District Magistrate, the then Karimnagar District, now Warangal (Urban) District issued vide reference 1st read above are upheld and the appeal of Sri G.Thirupathi Reddy, S/o Ramana Reddy, R/o. Bheemadevarapally Mandal, working as Security Head Guard at Metpally, TSRTC Depot is hereby rejected.

8. The Collector and District Magistrate, Warangal (Urban) District is requested to take further necessary action in the matter accordingly, as per the provisions of Act No.16 of 1993.

9. The original records in file bearing C.No.C4/823/2012 containing current file pages (932) and Note file pages (22) Total (954), furnished by the Collector and District Magistrate, Warangal (Urban) District have already been returned vide reference 6th cited and he is requested to acknowledge the receipt of the same.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**B.VENKATESHAM
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)**

To
The Collector and District Magistrate, Warangal (Urban) District
Sri G.Thirupathi Reddy,
E-303007, Security Head Guard, TSRTC,
S/o Ramana Reddy, R/o. H.No.2-1-1/1, Gopalpur Village,
Hanamkonda Mandal, Warangal (Urban) District

The Managing Director, TSRTC, Musheerabad, Hyderabad

Copy to:

Sri K.Ramchander,
H.No.9-4-618, Sapthagiri Colony, Near Peddamma Colony,
Karimnagar City

P.S. to Hon'ble Minister for BC Welfare,
Telangana Secretariat, Hyderabad
SC/SF

//Forwarded: By Order//

Section Officer